

AMENDED IN ASSEMBLY MAY 14, 2003

AMENDED IN ASSEMBLY APRIL 7, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 1467**

**Introduced by Assembly Member Negrete McLeod**

February 21, 2003

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An act to amend Sections 1628, 1636, and 1636.5 of the Business and Professions Code, relating to dentistry.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1467, as amended, Negrete McLeod. Dentists: licensure requirements.

Existing law provides for the licensing and regulation of dental professionals by the Dental Board of California, in the Department of Consumer Affairs. Under existing law, a person who has been issued a degree of doctor of dental medicine or doctor of dental surgery by a foreign dental school is eligible for the dental licensure examination if he or she has met specified requirements, including passing a progressive examination. Those requirements will be revised on January 1, 2004.

This bill would change the date for revision of the requirements for graduates of a foreign dental school to January 1, ~~2007~~ 2005. The bill would authorize, *on and* after January 1, ~~2007~~ 2005, a foreign dental school graduate who has completed certain parts of the progressive examination requirements to take other parts of the examination.

Existing law also provides that, until January 1, 2004, an applicant who fails to pass the licensure examination after 4 attempts is not

eligible for further reexamination until he or she has successfully completed at least 2 academic years of education at an approved dental school.

This bill would extend this provision to ~~January 1, 2007~~ December 31, 2008.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1628 of the Business and Professions  
2 Code, as amended by Section 8 of Chapter 532 of the Statutes of  
3 2001, is amended to read:

4 1628. A person over 18 years of age is eligible to take an  
5 examination before the board upon making application therefor  
6 and meeting all of the following requirements:

7 (a) Paying the fee for applicants for examination provided by  
8 this chapter.

9 (b) (1) Furnishing satisfactory evidence of having graduated  
10 from a reputable dental college approved by the board.

11 (2) Applicants furnishing evidence of having graduated after  
12 1921 shall also present satisfactory evidence of having completed  
13 at dental school or schools the full number of academic years of  
14 undergraduate courses required for graduation.

15 (c) Furnishing satisfactory evidence of financial responsibility  
16 or liability insurance for injuries sustained or claimed to be  
17 sustained by a dental patient in the course of the examination as a  
18 result of the applicant's actions.

19 (d) If the applicant has been issued a degree of doctor of dental  
20 medicine or doctor of dental surgery by a foreign dental school, he  
21 or she shall furnish all of the following documentary evidence to  
22 the board:

23 (1) That he or she has completed in a dental school or schools  
24 approved by the board pursuant to Section 1636.4, a resident  
25 course of professional instruction in dentistry for the full number  
26 of academic years of undergraduate courses required for  
27 graduation.

28 (2) Subsequent thereto, he or she has been issued by the  
29 approved dental school, a dental diploma or a dental degree, as



1 evidence of the completion of the course of dental instruction  
2 required for graduation.

3 (e) An applicant, who has been issued a dental diploma from  
4 a foreign dental school that has not been approved by the board  
5 pursuant to Section 1636.4 at the time of his or her graduation from  
6 the school shall not be eligible for examination until the applicant  
7 has successfully completed a minimum of two academic years of  
8 education at a dental college approved by the board pursuant to  
9 Article 1 (commencing with Section 1024) of Chapter 2 of  
10 Division 10 of Title 16 of the California Code of Regulations. This  
11 subdivision does not apply to applicants who have successfully  
12 completed the requirements of Section 1636 on or before  
13 December 31, ~~2002~~ 2004, *or who have passed Part I of the*  
14 *National Dental Board Examiners' examination by December 31,*  
15 *2004, and who complete all progressive examination requirements*  
16 *set forth in paragraph (2) of subdivision (c) of Section 1636 by*  
17 *December 31, 2008.*

18 (f) This section shall become operative on January 1, ~~2007~~  
19 2005.

20 SEC. 2. Section 1628 of the Business and Professions Code,  
21 as amended by Section 7 of Chapter 532 of the Statutes of 2001,  
22 is amended to read:

23 1628. A person over 18 years of age is eligible to take an  
24 examination before the board upon making application therefor  
25 and meeting all of the following requirements:

26 (a) Paying the fee for applicants for examination provided by  
27 this chapter.

28 (b) (1) Furnishing satisfactory evidence of having graduated  
29 from a reputable dental college approved by the board.

30 (2) Applicants furnishing evidence of having graduated after  
31 1921 shall also present satisfactory evidence of having completed  
32 at dental school or schools the full number of academic years of  
33 undergraduate courses required for graduation.

34 (c) Furnishing satisfactory evidence of financial responsibility  
35 or liability insurance for injuries sustained or claimed to be  
36 sustained by a dental patient in the course of the examination as a  
37 result of the applicant's actions.

38 (d) This section shall remain in effect only until January 1,  
39 ~~2007~~ 2005, and as of that date is repealed, unless a later enacted

1 statute, that is enacted before January 1, ~~2007~~ 2005, deletes or  
2 extends that date.

3 SEC. 3. Section 1636 of the Business and Professions Code  
4 is amended to read:

5 1636. (a) Notwithstanding subdivision (b) of Section 1628,  
6 a person who has been issued a degree of doctor of dental medicine  
7 or doctor of dental surgery by a foreign dental school shall be  
8 eligible for examination as provided in this section upon  
9 complying with subdivisions (a) and (c) of Section 1628 and  
10 furnishing all of the following documentary evidence satisfactory  
11 to the board, that:

12 (1) He or she has completed in a dental school or schools a  
13 resident course of professional instruction in dentistry for the full  
14 number of academic years of undergraduate courses required for  
15 graduation.

16 (2) Subsequent thereto, he or she has been issued by the dental  
17 school a dental diploma or a dental degree as evidence of the  
18 completion of the course of dental instruction required for  
19 graduation.

20 (b) An applicant who is a graduate of a foreign dental school  
21 accredited by a body that has a reciprocal accreditation agreement  
22 with any commission or accreditation agency whose findings are  
23 accepted by the board shall be exempt from the qualifying  
24 examination provided for in paragraph (2) of subdivision (c).

25 (c) Examination by the board of a foreign-trained dental  
26 applicant shall be a progressive examination given in the following  
27 sequence:

28 (1) Examination in writing which shall be comprehensive and  
29 sufficiently thorough to test the knowledge, skill, and competence  
30 of the applicant to practice dentistry, and both questions and  
31 answers shall be written in the English language.

32 The written examination may be the National Board of Dental  
33 Examiners' examination or other examination, but in no event  
34 shall the examination given to foreign-trained applicants be a  
35 different examination than that given to applicants who have met  
36 the requirements of subdivision (b) of Section 1628. A  
37 foreign-trained applicant who passes the written examination shall  
38 be permanently exempt from retaking the examination.

39 Those applicants who have passed the California written  
40 examination are permanently exempt from retaking a written

1 examination, except any examination required for continuing  
2 education purposes.

3 (2) Demonstration of the applicant's skill in restorative  
4 technique. An applicant who obtains an overall average grade of  
5 75 percent or higher on the restorative technique examination and  
6 a grade of 75 percent or higher on two of the three subsections shall  
7 be deemed to have passed the examination. However, an applicant  
8 who obtains a grade of 85 percent or higher on any subsection of  
9 the examination is exempt from retaking that subsection for two  
10 years following the date of the examination in which the grade of  
11 85 percent or higher was obtained. Every applicant who passes the  
12 entire restorative technique examination is permanently exempt  
13 from retaking the examination.

14 (d) An applicant who has successfully completed the written  
15 examination and the restorative technique examination shall be  
16 eligible to take and shall pass the examinations in  
17 diagnosis-treatment planning, prosthetic dentistry, diagnosis and  
18 treatment of periodontics, and operative dentistry in the identical  
19 manner in which the examinations are taken by and administered  
20 to other dental applicants. Exemptions in the examinations shall be  
21 applied to foreign-trained applicants in the same manner as they  
22 are applied to other dental applicants.

23 (e) Subdivisions (a), (b), (c), and (d) shall become inoperative  
24 on January 1, ~~2007~~ 2005.

25 (f) Notwithstanding subdivision (e), the restorative techniques  
26 examination in subdivision (c) may be offered to a candidate *on*  
27 *and* after January 1, ~~2007~~ 2005, if he or she meets all of the  
28 following requirements:

29 (1) He or she meets the eligibility requirements of subdivision  
30 (a).

31 (2) He or she has passed Part ~~H~~ I of the National Dental Board  
32 ~~Examiners written~~ *Examiners'* examination.

33 ~~(3) He or she has filed a completed application to take the~~  
34 ~~restorative techniques examination before January 1, 2007.~~

35 ~~(4) He or she has applied to take the restorative techniques~~  
36 ~~examination each time the examination was offered and he or she~~  
37 ~~was eligible to take the examination.~~

38 SEC. 4. Section 1636.5 of the Business and Professions Code  
39 is amended to read:

1     1636.5. (a) Notwithstanding Section 135, on and after  
2     January 1, 1993, an applicant who fails to pass the examination  
3     required by paragraph (2) of subdivision (c) of Section 1636 after  
4     four attempts shall not be eligible for further reexamination until  
5     the applicant has successfully completed a minimum of two  
6     academic years of education at a dental school approved by either  
7     the Commission on Dental Accreditation or a comparable  
8     organization approved by the board. When the applicant applies  
9     for reexamination, he or she shall furnish proof satisfactory to the  
10    board that he or she has successfully completed the requirements  
11    of this subdivision.

12    (b) This section shall remain in effect only until ~~January 1,~~  
13    ~~2007~~ *December 31, 2008*, and as of that date is repealed, unless a  
14    later enacted statute, which is enacted before ~~January 1, 2007~~  
15    *December 31, 2008*, deletes or extends that date.

